



**US Army Corps
of Engineers.**

Nashville District

Public Notice

Public Notice No. 05-94 Date: November 4, 2005

Application No. 42391-00

Please address all written responses, by December 2, 2005, to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214
Attn: Lisa Morris, Telephone 615/369-7504, Fax 615/369-7501

SUBJECT: Proposed Maintenance Dredging at PowerCom Industrial Center Barge Facility at Cumberland River Mile 284.1, Right Bank, Old Hickory Lake (Previous Site of TVA Hartsville Nuclear Plant Barge Terminal)

TO ALL CONCERNED: The subject project has been submitted for a Department of the Army permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899**. The return water from the contained disposal area described in this notice is administratively defined as a discharge of dredged material subject to the CWA of which meets the criteria for authorization under Nationwide Permit (NWP) #16, dated March 18, 2002. The state of Tennessee issued a water quality certification for the NWP #16 on March 21, 2002.

APPLICANT: Four Lake Regional Industrial Development Authority
PO Box 464
Hartsville, TN 37074

LOCATION: Cumberland River Mile 284.1, Right Bank, Old Hickory Lake, Trousdale County, Tennessee. (Government Tracts M-1305-E and M-1306-2-E); Quad – Dixon Springs, TN; lat 36-21-00, lon 86-06-00; Cumberland River Navigation Chart No. 36).

DESCRIPTION: The proposed work consists of maintenance dredging approximately 2,029 cubic yards of material from the lake bottom (180' x 160') at the old TVA barge facility at the subject location (previous TVA Hartsville Nuclear Plant terminal). Records show that TVA dredged the site in the past in 1993 and 1999 before they sold it in 2003. At this time, the new owner, Four Lake Development Authority, needs to dredge the site in preparation for future business. The material would be removed with a suction dredge and pumped to an upland, contained location on the Four Lake Authority property for drying. The work is being conducted in order to obtain bottom Elevation 436 for maneuvering at the existing terminal. The current lake bottom at this location varies between Elevation 435.5 to 439.5. Normal Summer Pool of Old Hickory Lake is Elevation 445. Plans of the proposed work are attached.

- The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the work, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines it to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historical properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An EA will be prepared prior to a final decision concerning issuance or denial of the requested permits.

On October 6, 2005, this office pre-coordinated the proposal (and a mussel survey of the proposed dredging site performed by TVA in 2002) over facsimile with the US Fish and Wildlife Service (USFWS), the Tennessee Wildlife Resource Agency (TWRA), and the State Historic Preservation Officer (SHPO). No threatened or endangered species were found in the project area.

By response letter dated October 11, 2005, the SHPO stated that no National Register of Historic Places listed or eligible properties are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the SHPO.

Both USFWS (email dated October 25, 2005) and TWRA (letter dated October 24, 2005) stated that they had reviewed the 2002 TVA mussel survey and requested that an up-dated mussel survey of the project area be performed. Therefore, at this time, insufficient information exists to make an effect determination. We are initiating informal consultation with the USFWS necessary to fulfill our obligations under Section 7 of the Endangered Species Act.

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- Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for hearings shall state, with particularity, the reasons for holding a hearing. Written statements received in this office on or before December 2, 2005, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attn: Lisa Morris, at the above address, telephone (615) 369-7504.

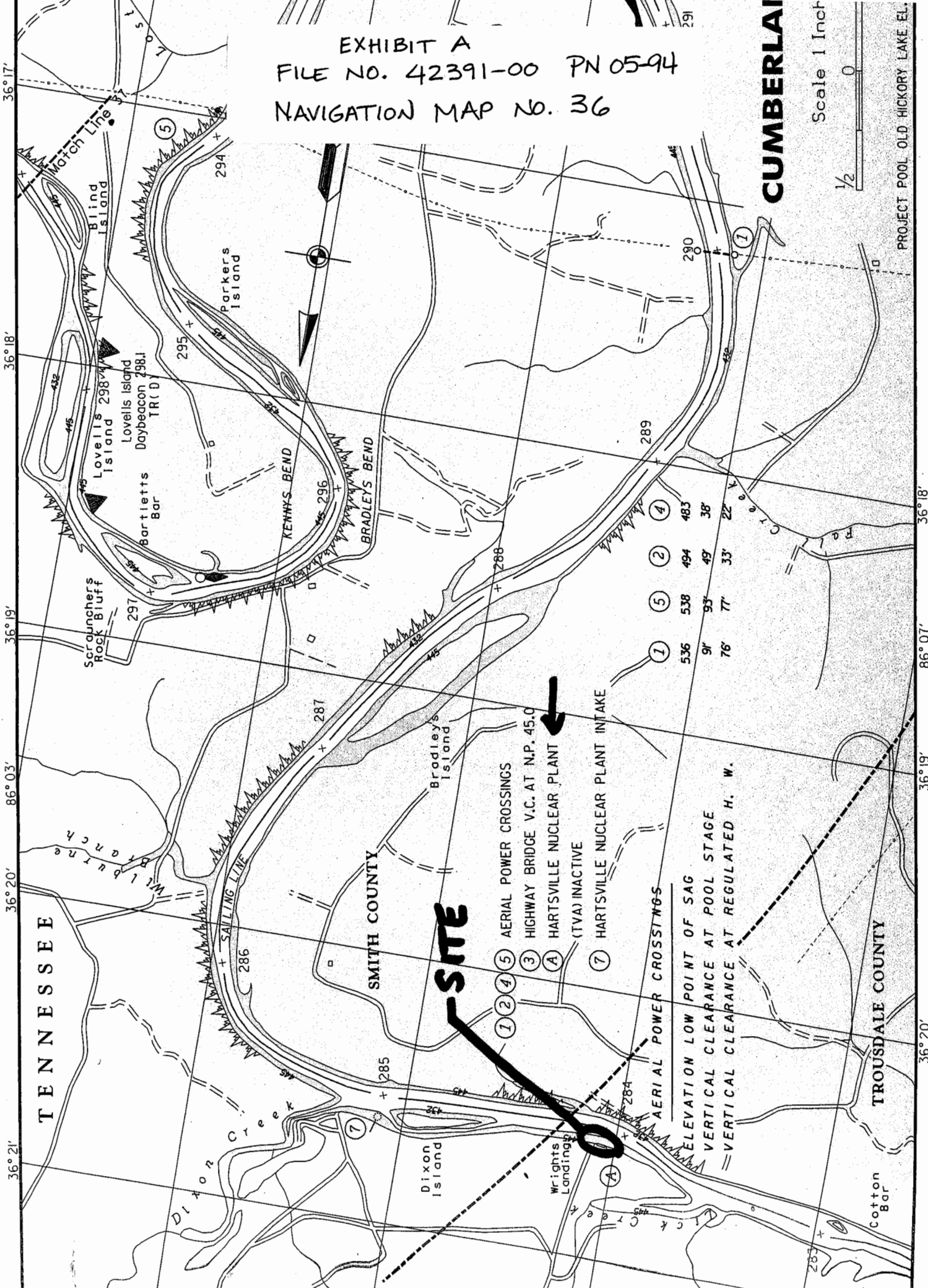
EXHIBIT A
FILE NO. 42391-00 PN 05-94
NAVIGATION MAP NO. 36

CUMBERLAND

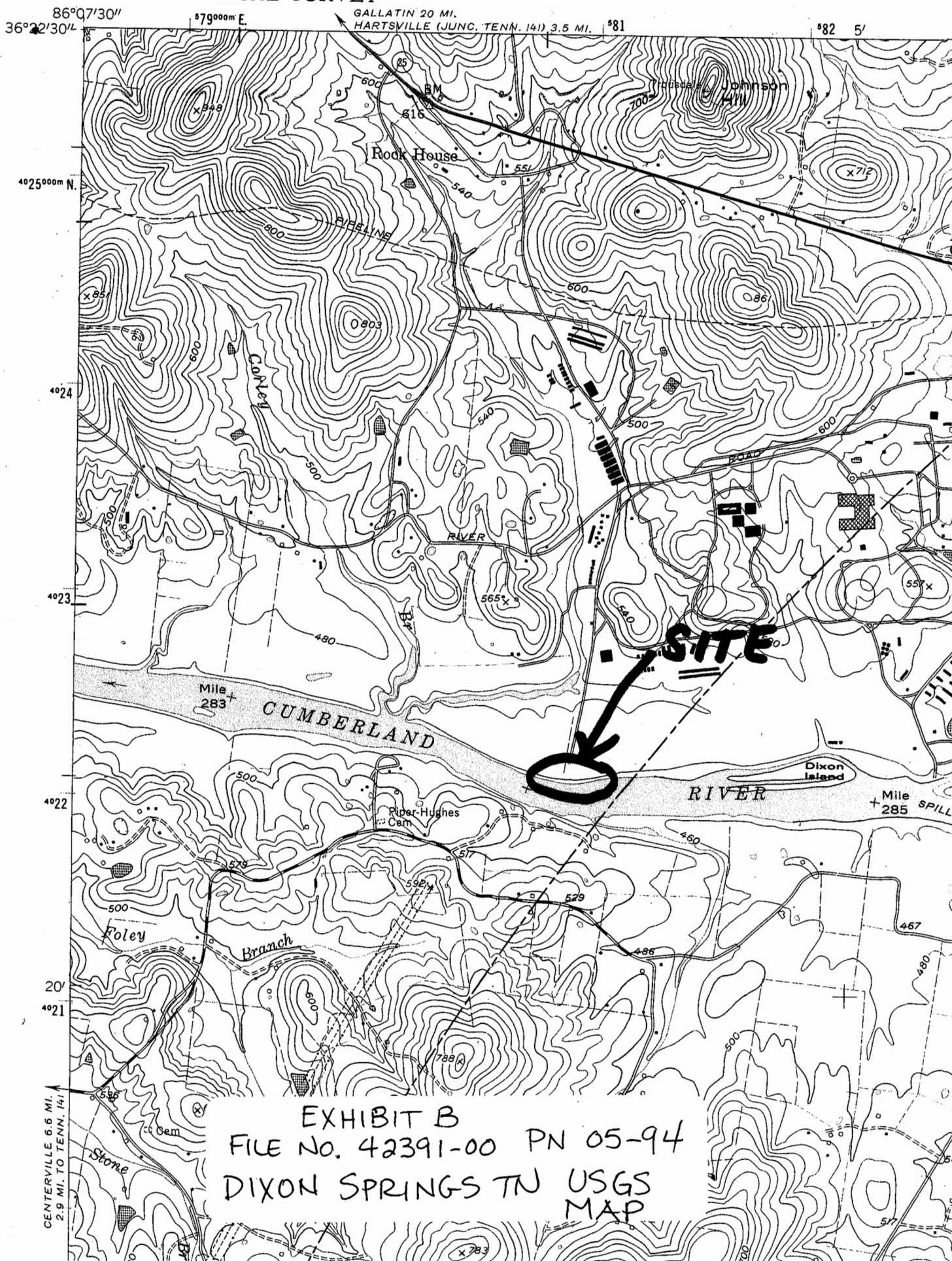
Scale 1 Inch



PROJECT POOL OLD HICKORY LAKE EL.

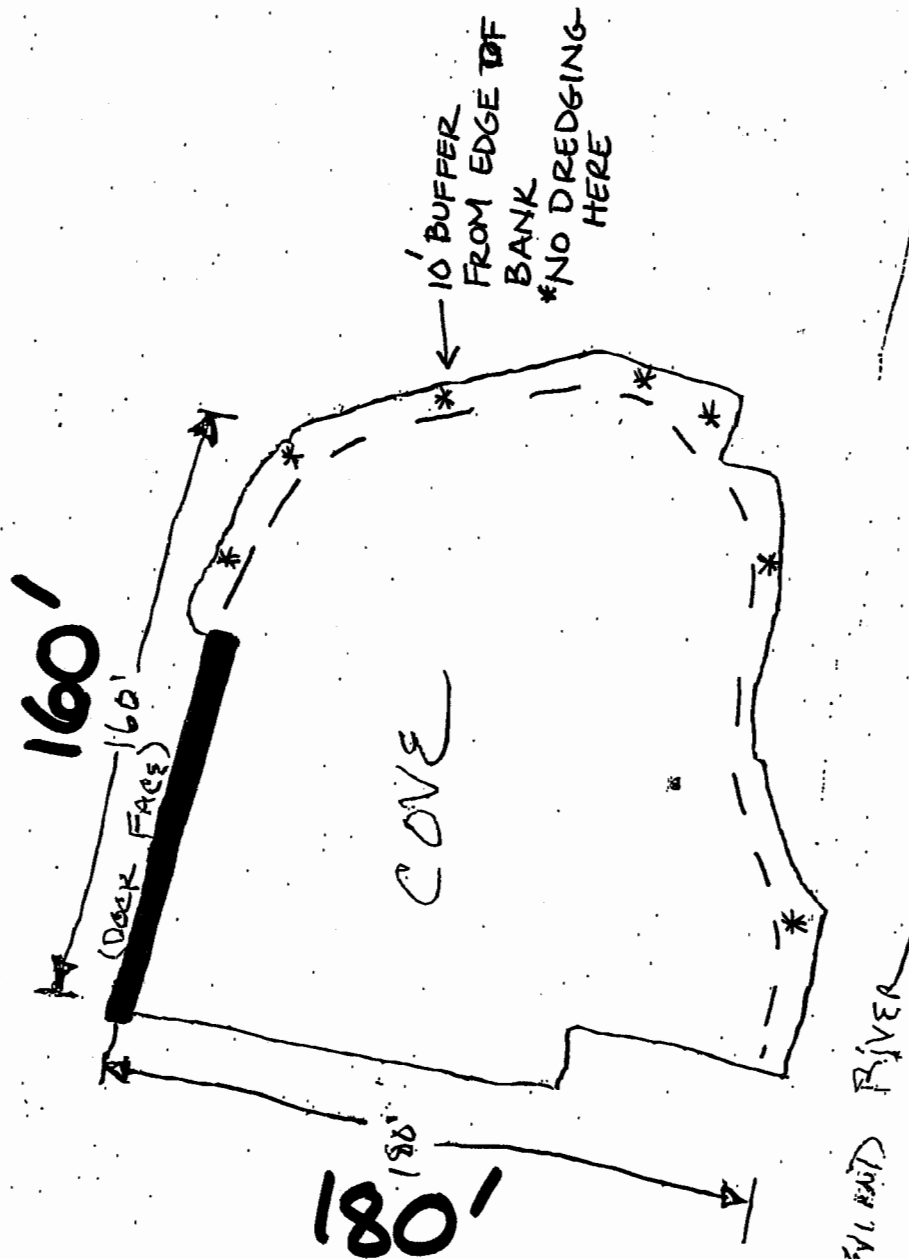


UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



PROPOSED DREDGE SP.

EXISTING DOCKING COVE / CUMBERLAND RIVER (M.I. 284)
FOUR LAKE AUTHORITY'S POWER CO. INDUSTRIAL CENTER.



MAINTENANCE DREDGING

FILE NO. 42391-00

EXHIBIT C
PLAN VIEW
FILE NO. 42391-00

NOTE: SUCTION DREDGE
with discharge
to the side is
proposed.

FAIR LANE HIGH SCHOOL
POWELL CONSTRUCTION
HARBORVIEW, TX

36° 20' 35" N
Cumberland River 88° 45' 53" W

WATER ELEVATION
445'

EXISTING BOTTOM



Proposed 436'
Bottom

Estimate Dredge Volume: 2029 cubic yards
2029 CYDS

UP